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REMARKS

Claims 1-19 and 22-33 are currently pending in the subject application and are presently under consideration.

Favorable reconsideration is requested in view of the comments below.

**I. Rejection of Claims 1-19 and 22-33 Under 35 U.S.C. §103(a)**

Claims 1-19 and 22-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Multer, *et al.* (US 6,694,336) in view of Baisley (US 6,502,112). Reconsideration and allowance of these claims is respectfully requested for at least the following reasons. Multer, *et al.* and Baisley, alone or in combination, fail to teach or suggest each and every aspect of applicants' claimed invention.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The invention as recited in the claims relates to systems and methodologies that enable databases to be efficiently updated and/or corrected based upon differences located in XML data sources together with data from another XML data source. To that end, independent claim 1 recites of *a formatter associated with the difference component that describes and outputs differences... between XML data sources... together with a representation of at least one of the XML data sources*. Claim 26 includes a similar limitation: *one or more diffgrams that describe the differences between a reference data source and one or more data records, the one or more*

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*diffgrams further includes a representation of one of the data records.* As stated in previous correspondence and reiterated herein, neither Multer, *et al.* nor Baisley teach or suggest such features of applicants' claimed invention.

Multer, *et al.* discloses systems/methods for synchronizing data between disparate applications and/or systems, regardless of application format. For example, Multer, *et al.* teaches that it may be desirable for a user to synchronize contact information within a cellular telephone with contact information within a personal digital assistant. Thus, if a change is made to information within the cellular telephone, the personal digital assistant can be automatically updated with the alterations. To effectuate synchronization between the cellular phone and the personal digital assistant, changes in data are determined. In more detail, a snapshot of a state of data is generated and stored in an application object store (e.g., a data store related to a particular application, such as an address book application). (See col. 11, lines 58-65). An application object outputs data upon entry/alteration of data by a user and/or computer, and the output of the application object is compared with the snapshot of data within the application object store. A differencing engine can then calculate differences in data between output of the application object and data within the application object store. (See col. 11, line 66 – col. 12, line 3). The differences can then be forwarded to a separate application/system to facilitate synchronization. Thus, Multer, *et al.* discloses determining that alterations have been made to data and does not disclose or suggest a formatter associated with a difference component *that describes and outputs the differences together with a representation of at least one of the XML data sources* as claimed.

To make up for this deficiency, the Examiner cites Baisley. It can be readily discerned, however, that Baisley also fails to teach the above-referenced claimed aspects. In more detail, the Examiner contends Baisley discloses outputting difference information with a representation of a data source. Applicants' representative respectfully disagrees with this contention. Baisley generally relates to determining whether two XML-based XML documents are semantically equivalent. To undertake such a determination, semantic graphs for each of the documents are created and eventually compared. (See col. 3, lines 10-13). If the semantic graphs are different, then a return of "documents unequal" is made. (See Figs. 5, 6A, and 6B and accompanying

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text). There is no indication within Baisley, however, that *differences* between XML data sources are output, much less *differences... between XML data sources... together with a representation of at least one of the XML data sources* as claimed.

The Examiner further asserts that a unique identifier provided to objects within an XML document is equivalent to a representation of an XML data source. Applicants' representative respectfully avers to the contrary, as it is clear that the unique identifiers are provided to objects within an XML document and are not representations of an XML document, and are further not *output together with differences between XML data sources* as claimed. Rather, the unique identifiers enable comparison of two objects that are at a same depth from disparate root objects. (See col. 7, lines 24-26). Further, Fig. 3D of Baisley shows disparate objects having disparate unique identifiers, which are not representations of the XML document and are not output together with differences between XML data sources. This can be determined by noting that Fig. 3D, which is not output, represents two XML documents that are semantically identical (and not different). Thus, it is readily apparent that the combination of Multer, *et al.* and Baisley does not teach or suggest *a formatter associated with the difference component that describes and outputs differences... between XML data sources... together with a representation of at least one of the XML data sources* as recited in independent claim 1 (and claims 2-13 which respectively depend therefrom), and further fails to teach or suggest *one or more diffgrams that describe the differences between a reference data source and one or more data records, the one or more diffgrams further includes a representation of one of the data records* as recited in claim 26 (and claims 27-29 which respectively depend therefrom).

With respect to independent claim 14, neither Multer, *et al.* nor Baisley teach or suggest *filling a container with previous state results and current state results based at least in part upon the comparison*. Likewise, the combination of Multer, *et al.* and Baisley fails to disclose *a container configured and output by the transmission system having tags to define boundaries for... data sources, the container including an indication of... previous and... current states of the data sources within the defined boundaries* as recited in independent claim 22. The Examiner asserts that such claimed aspects are taught by Multer, *et al.* within the abstract. Applicants' representative

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respectfully disagrees. As described above, Multer, *et al.* discloses storing previous state information within an application data store (relating to a particular application). When the related application is utilized to alter data (e.g., alterations are made to data by way of the application), data resulting from the alteration is compared with the previous state information within the application data store. Differences detected between the data are then delivered to a server and/or directly to a disparate system/application. There is, however, no teaching or suggestion of a container that includes both previous state results and current state results, as a data package generated through utilization of the teachings of Multer, *et al.* solely include differences between data and, if necessary, instructions for enabling synchronization (and do not relate to states of the data). Thus, as stated in previous correspondence and reemphasized herein, it is clear that Multer, *et al.* fails to teach or suggest *container including an indication of... previous and... current states of the data sources* as claimed.

With regard to independent claim 25, the claim recites *means for representing previous states and current states corresponding to... differences between the two or more XML source files*. Multer, *et al.* does not disclose representing disparate states corresponding to determined differences between source files. Rather, Multer, *et al.* discloses representing differences between source files and then delivering such differences to a separate device/application to facilitate synchronization. Similarly, Multer, *et al.*, in contrast to the Examiner's assertions, fails to teach or suggest a *container field* and associated *previous state fields* and *current state fields* as recited in independent claim 24. The Examiner again cites the abstract of Multer, *et al.* to make obvious these claimed aspects. Again, however, the abstract merely describes an application data store that maintains a representation of data associated with a previous state. Therefore, at most, Multer, *et al.* describes a corollary to a previous state field, but clearly neglects to describe a single *data structure* that includes the claimed *container field, the previous state field, and the current state field*. Therefore, it is also apparent that Multer, *et al.* fails to disclose *a container to describe boundaries of a diffgram, a first component that indicates a prior state of an XML data source, and a second component that represents one or more state changes to the XML data source* as recited in claim 31.

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With respect to independent claim 30, both Multer, *et al.* and Baisley are silent with regard to an *ordering system, a comparison of inventory records, and indicating status of inventory*. As stated above, Multer, *et al.* teaches a synchronization system that synchronizes data between applications, systems, and/or devices, and Baisley discloses determining whether XML documents are identical. Nowhere in either cited reference is there any reference to an ordering system and/or inventory, much less indicating status of inventory as a function of a comparison between inventory records.

As neither Multer, *et al.* nor Baisley teach or suggest various novel aspects of the invention as recited in claims 1, 14, 22, 24-26, 30, and 31 (and all claims which depend therefrom), it is readily apparent that this rejection should be withdrawn.

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CONCLUSION

The present application is believed to be condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063[MSFTP297US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

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